

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

**IN RE: MICHAELS STORES, INC.,  
FAIR CREDIT REPORTING ACT  
(FCRA) LITIGATION**

Civ. No. 14-7563 (KM) (JBC)

Civ. No. 15-2547 (KM) (JBC)

Civ. No. 15-5504 (KM) (JBC)

MDL No. 2615

**ORDER**

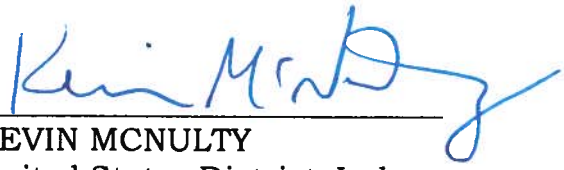
This matter having come before the Court on the consolidated motion to dismiss all centralized actions under MDL No. 2615, pursuant to Rule 12(b)(1), Fed. R. Civ. P., filed by the defendant, Michaels Stores, Inc. ("Michaels") (Civ. No. 14-cv-07563, ECF no. 99); and the plaintiffs, Christina Graham, Gary Anderson, Michelle Bercut, and Janice Bercut, having filed a response (ECF no. 101); and the defendant having filed a reply (ECF no. 103); and the Court having reviewed the submissions and decided the matter without oral argument, pursuant to Fed. R. Civ. P. 78; for the reasons expressed in the accompanying Opinion, and good cause appearing therefor;

IT IS this 24th day of January, 2017

**ORDERED** as follows:

1. Michaels' consolidated motion to dismiss (ECF no. 99) is **GRANTED** and all three complaints (Civ. No. 14-7563, ECF no. 1; Civ. No. 15-2547, ECF no. 1; Civ. No. 15-5504, ECF no. 1) are **DISMISSED WITHOUT PREJUDICE**.
2. Michelle Bercut's case (Civ. No. 15-5504) will be **REMANDED** to the Superior Court of California, County of Sonoma. The remand, however, is stayed until further order of the Court. Within 30 days, Michelle Bercut may file an amended complaint. If so, the

defendant may respond by answer or motion, as appropriate; if not, the stay of this remand order will be vacated.



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KEVIN MCNULTY  
United States District Judge